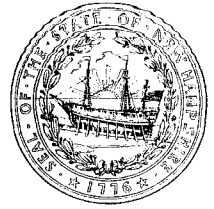


The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

February 3, 2006
Letter of Deficiency
DSP#06-002

Mr. Dennis E. Fenton, Chairman
Town of Andover
P.O. Box 61
Andover, NH 03216

RE: Highland Lake Dam #008.04, Andover

Dear Chairman Fenton:

The Department of Environmental Services, Dam Bureau (DES) consistently strives to enhance the safety of dams in New Hampshire through its dam safety program. One of the many instruments that play a part in reaching this goal is our inspection program. DES is forwarding this correspondence to you to advise you that in accordance with RSA 482:12 and Env-Wr 302.02, an inspection of the subject dam was conducted on June 23, 2005. During this visual inspection and/subsequent file review, the following deficiencies were observed:

1. There is brush to the right of the stoplog bays;
2. There is a large tree to the immediate left of the stoplog bay;
3. The Emergency Action Plan (EAP) has not been updated or tested since March 2, 1997;
4. A portion of the stone masonry retaining wall located on the downstream side of the roadway has failed. The failed section is located beneath the concrete slab covers that span across the retaining walls. If the wall completely fails, it could block the culvert that passes beneath the roadway resulting in reduced discharge capacity of the dam; and
5. The operation and maintenance plan (O&M) does not appear to have been updated since June 1998.

DES believes that the above deficiencies can be corrected by performing the following items by the indicated schedule:

September 1, 2006:

1. Remove the brush to the right of the stoplog bays;
2. Remove the large tree to the immediate left of the stoplog bay;
3. Update and test the EAP. If you need assistance with this test please contact Bethann McCarthy, P.E., our EAP Coordinator;
4. Repair the failed stone masonry wall located on the downstream side of the roadway; and
5. Review and update, as necessary, the O&M plan.

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DES is requesting that you complete and submit the attached "Intent to Complete Repairs" form, within 30 days of receipt of this letter, that will provide for correction of the identified deficiencies by the date(s) indicated above. Please call or write to our office if the repairs are completed ahead of the aforementioned schedule so that DES may schedule a follow-up inspection. Unless notified otherwise, DES will conduct the follow-up inspection on or after the date(s) indicated above. If you believe changes to the items of work or dates are necessary, please make the changes directly on the form and provide a brief explanation. We have enclosed a self addressed stamped envelope for you to return this form.

Our intent in sending you this correspondence is to make you aware of items that DES believes warrant your attention to insure the continued safe operation of your dam. It is our hope that, through the submittal of the attached form and a commitment to keeping a well-maintained dam, you will voluntarily comply with the requested items of work. If we do not receive the intent form or a similarly adequate written reply, we will assume that you are in agreement with our findings and recommendations and DES will carry out follow-up inspections accordingly.

If you have any questions or comments regarding this Letter of Deficiency or would like to be present at future inspections, please contact me at 271-3406, or write to the Water Division at the address listed on the bottom of the previous page.

Sincerely,

COPY

Jeffrey M. Blaney, P.E.
Dam Safety Engineer

Attachments Copy of O&M plan, DB8, DB13
cc: Gretchen R. Hamel, Legal Unit Administrator ✓
Bethann M. McCarthy, P.E., EAP Coordinator
Certified # 7000 1670 0000 0588 6769
JMB/was/h:/safety/wendy/lod/008-04blod.doc